

Legislative Wrap-Up

2016

Mark Hendrickson and Jaimie Ross



First and foremost, the efforts of the Sadowski Coalition and Sadowski Coalition Affiliates resulted in over \$200 million in appropriation for affordable housing in fiscal year 2016-17. This session brought back a robust SAIL, SHIP, and appropriation for ending homelessness, together with tools to make great inroads using the best practice of rapidly re-housing people experiencing homelessness using the housing first model.

The table on page 7 shows the Governor's proposed budget, the housing appropriation offered by the Senate, the housing appropriation offered by the House, and the final resolution. The \$200.1 million in State and Local Housing Trust Fund monies is roughly a \$25 million increase over last year's funding level, and is the highest funding level in nine years.

Similar to last year's appropriation bill, the 2016-2017 appropriations bill includes proviso language for slightly under 4% of the SHIP appropriation to be used for homeless Continuum of Care assistance—\$5 million for the Challenge Grant administered by the State Office on Homelessness and \$200,000 for training and technical assistance to Continuum of Care lead agencies and their partners. An additional \$500,000 of SHIP

funds are designated by proviso language for the Affordable Housing Catalyst Program.

In addition to the \$32.3 million in State Housing Trust Fund monies appropriated for SAIL, Florida Housing is authorized to spend \$75-\$80 million of its Guarantee Program funds on SAIL. \$20 million of SAIL funds are designated for workforce housing, which is targeted to households up to 80% of the Area Median Income (AMI), and/or for housing in the Keys that is affordable to households up to 140% AMI. The 2016/17 appropriations bill also contains proviso language requiring Florida Housing to spend \$10 million of its State Housing Trust Fund appropriation on housing for people with developmental disabilities, similar to the proviso requirements in the last three appropriations bills.



SHIP DISTRIBUTION ESTIMATES

FOR FISCAL YEAR 2016-17

LOCAL GOVERNMENT	COUNTY TOTAL	COUNTY SHARE/ CITY SHARE	LOCAL GOVERNMENT	COUNTY TOTAL	COUNTY SHARE/ CITY SHARE	LOCAL GOVERNMENT	COUNTY TOTAL	COUNTY SHARE/ CITY SHARE
ALACHUA	1,624,044	808,774	GADSDEN	350,000	350,000	ORANGE	7,913,543	6,251,699
Gainesville		815,270	GILCHRIST	350,000	350,000	Orlando		1,661,844
BAKER	350,000	350,000	GLADES	350,000	350,000	OSCEOLA	1,964,472	1,540,146
BAY	1,104,970	876,462	GULF	350,000	350,000	Kissimmee		424,326
Panama City		228,508	HAMILTON	350,000	350,000	PALM BEACH	8,719,117	6,630,016
BRADFORD	350,000	350,000	HARDEE	350,000	350,000	Boca Raton		555,408
BREVARD	3,552,011	1,966,748	HENDRY	350,000	350,000	Boynton Bch		460,369
Cocoa		115,796	HERNANDO	1,125,196	1,125,196	Delray Beach		399,336
Melbourne		503,320	HIGHLANDS	653,322	653,322	West Palm Bch		673,988
Palm Bay		679,500	HILLSBOROUGH	8,368,576	6,106,550	PASCO	3,090,250	3,090,250
Titusville		286,647	Tampa		2,262,026	PINELLAS	5,975,463	3,142,495
BROWARD	11,547,017	2,468,753	HOLMES	350,000	350,000	Clearwater		699,727
Coconut Creek		357,958	INDIAN RIVER	916,213	916,213	Largo		510,305
Coral Springs		785,197	JACKSON	353,364	353,364	St. Petersburg		1,622,936
Davie		611,992	JEFFERSON	350,000	350,000	POLK	4,000,296	3,117,831
Deerfield Bch		484,975	LAFAYETTE	350,000	350,000	Lakeland		641,647
Ft. Lauderdale		1,106,204	LAKE	2,011,672	2,011,672	Winter Haven		240,818
Hollywood		915,678	LEE	4,209,279	2,698,989	PUTNAM	471,312	471,312
Lauderhill		439,941	Cape Coral		1,052,741	ST. JOHNS	1,364,517	1,364,517
Margate		353,339	Ft. Myers		457,549	ST. LUCIE	1,829,643	454,483
Miramar		834,849	LEON	1,812,802	614,721	Ft. Pierce		267,860
Pembroke Pines		1,010,364	Tallahassee		1,198,081	Port St. Lucie		1,107,300
Plantation		553,102	LEVY	350,000	350,000	SANTA ROSA	1,040,930	1,040,930
Pompano Bch		670,882	LIBERTY	350,000	350,000	SARASOTA	2,483,546	2,148,516
Sunrise		560,030	MADISON	350,000	350,000	City of Sarasota		335,030
Tamarac		393,753	MANATEE	2,220,635	1,886,651	SEMINOLE	2,810,498	2,810,498
CALHOUN	350,000	350,000	Bradenton		333,984	SUMTER	740,952	740,952
CHARLOTTE	1,067,904	955,027	MARION	2,166,707	1,796,200	SUWANNEE	350,000	350,000
Punta Gorda		112,877	Ocala		370,507	TAYLOR	350,000	350,000
CITRUS	899,371	899,371	MARTIN	960,048	960,048	UNION	350,000	350,000
CLAY	1,290,364	1,290,364	MIAMI-DADE	10,619,870	6,872,117	VOLUSIA	3,235,192	2,277,899
COLLIER	2,183,568	2,059,541	Hialeah		932,425	Daytona Bch		402,781
Naples		124,027	Miami		1,758,650	Deltona		554,512
COLUMBIA	444,338	444,338	Miami Beach		367,448	WAKULLA	350,000	350,000
DE SOTO	350,000	350,000	Miami Gardens		439,663	WALTON	397,159	397,159
DIXIE	350,000	350,000	North Miami		249,567	WASHINGTON	350,000	350,000
DUVAL	5,722,664	5,722,664	MONROE	478,041	478,041	TOTAL	124,461,250	124,461,250
ESCAMBIA	1,954,360	1,616,451	NASSAU	505,015	505,015	Disaster Relief Holdback & Compliance Monitoring		5,338,750
Pensacola		337,909	OKALOOSA	1,229,687	1,095,897	Homeless Transfers & Catalyst		5,700,000
FLAGLER	653,322	138,766	Ft. Walton Bch		133,790	TOTAL ESTIMATED APPROPRIATION		135,500,000
Palm Coast		514,556	OKEECHOBEE	350,000	350,000			
FRANKLIN	350,000	350,000						

Conf. Report HB 5001* (less \$5.2 million for Homeless, \$5 million holdback for Disaster Relief, \$500,000 for Catalyst, and Compliance Monitoring)

Sadowski Coalition Members

Business and Industry Groups

Associated Industries of Florida
Coalition of Affordable Housing Providers
Florida Apartment Association
Florida Bankers Association
Florida Chamber of Commerce
Florida Green Building Coalition
Florida Home Builders Association
Florida Manufactured Housing Association
Florida Realtors
Florida Retail Federation

Advocates for the Elderly, Veterans, Homeless and Special Needs

AARP of Florida
Florida Assoc. of Housing & Redevelopment Officials
Florida Coalition for the Homeless
Florida Housing Coalition
Florida Legal Services
Florida Supportive Housing Coalition
Florida Veterans Foundation
Florida Weatherization Network
LeadingAge Florida
The Arc of Florida
United Way of Florida

Government & Planning Organizations

American Planning Association, Florida Chapter
Florida Association of Counties
Florida Association of Local Housing Finance Authorities
Florida League of Cities
Florida Redevelopment Association
Florida Regional Councils Association

Faith Based Organizations

Florida Conference of Catholic Bishops
Florida Impact
Habitat for Humanity of Florida
Volunteers of America

SB 1534 – The “Homeless Bill”

This bill, passed and signed into law as CS/CS/SB 1534, includes numerous provisions to expand Florida’s policy and funding framework for homeless assistance, as well as other changes to increase the flexibility and accountability of Florida’s housing programs. Highlights of SB 1534 are provided below.

Changes to Florida Housing Finance Corporation Programs

- Amends 420.507(22), Florida Statutes, to allow SAIL to provide more than 25% of project costs for developments in counties or rural areas of counties that do not have existing units set aside for homeless persons (as defined in 420.621(5)), or where persons are residing in time-limited transitional housing or institutions due to a lack of permanent affordable housing. These developments must be supported by a local homeless assistance Continuum of Care (CoC), be developed by nonprofit applicants, be small properties as defined by Florida Housing rules, and be mentioned in the local CoC plan recognized by the State Office on Homelessness. Prior to this change, such developments would not have been able to receive a SAIL loan for more than 25% of their project costs unless they explicitly served extremely low-income (ELI) households. This amended section also allows Florida Housing to forgive loans held by these projects.
- Amends 420.5087(6)(k), F.S., to require SAIL developments to use the same rent limits provided for Low Income Housing Tax Credit units that are applicable to the income limits for the SAIL units. Previously, the statute did not allow rent limits for most SAIL units.
- Amends 420.507(35), F.S., to remove the 2-year time limit for prohibiting an applicant or their affiliate that has engaged in material misrepresentation or fraudulent actions from participating in Florida Housing programs. Florida Housing now has discretion to determine how long such entities may be barred from participating in its programs, and may bar them indefinitely.

- Adds subsection (50) to 420.507, F.S., allowing Florida Housing to reserve a minimum of 5 percent of the annual appropriation from the State Housing Trust Fund for housing projects designed and constructed to serve persons with a disabling condition, with first priority given to projects serving persons with a developmental disability. Funding will be provided as forgivable loans to nonprofits whose primary mission includes serving people with disabling conditions.
- Adds 420.9089 to the Florida Statutes, encouraging Florida Housing to use the state's National Housing Trust Fund (NHTF) allocation to reduce homelessness and the risk of homelessness.

Provisions for State Office on Homelessness and Continuums of Care

- Amends 420.622(3)(b), F.S., to require the State Office on Homelessness (SOH) to develop a system to collect and analyze data from all lead agencies to assess trends and impacts. NOTE: This statutory change does NOT require SOH to develop a statewide Homeless Management Information System (HMIS) or study the possibility of doing so.
- Amends 420.622(4), F.S., to clarify that Challenge Grant funds are distributed by SOH to local Continuum of Care lead agencies, and removes the requirement that award levels be based upon a CoC's level of need.
- Amends 420.622(4)(a), F.S., to clarify that funds or in-kind contributions used as a Challenge Grant match cannot have been used as leverage or match for other projects, and requires that there be a written commitment certifying the match.

SADOWSKI PRESS CONFERENCE

Sadowski members called upon the Legislature to use the housing trust fund for housing.



- Expands upon 420.622(6), F.S., to require SOH to develop specific objectives for evaluating performance and outcomes of Continuum of Care lead agencies that receive grant funds; require that Challenge Grant funding be based on the lead agencies’ “overall performance and their achievement of specified objectives”; and replace the previous “output-based” evaluation criteria with “outcome-based” criteria, including the number of persons or households that are no longer homeless, the rate of returns to homelessness, and the number of persons who become employed.
- Amends 420.624(3), F.S., to require SOH to provide “a methodology for assessing performance and outcomes” and a framework for reporting data in local Continuum of Care plans.
- Amends 420.624(7), F.S., to include Rapid Re-Housing (RRH) as a component that should be included in local CoC plans.
- Adds 420.6265 to Florida Statutes, providing legislative findings and intent for Rapid Re-Housing. This new section finds that Rapid Rehousing (RRH) is a good practice to reduce duration of homeless episodes and move people out of homelessness, and is cost-effective. CoCs are encouraged to adopt RRH strategies and to include them in their local CoC plans.

Changes to SHIP Program

- Amends 420.9072(3)(b), F.S., to extend Florida Housing’s review period for draft Local Housing Assistance Plans (LHAPs) from 30 to 45 days.
 - Amends 420.9072(7) to allow local governments to use SHIP funds to provide up to 12 months of rent subsidies for very low-income households with at least one adult who is a person with special needs (as defined by 420.0004, F.S.) or homeless as defined by 420.621, F.S. This amendment codifies proviso language that was included in the FY 2015-16 appropriations bill.
- Previously, Florida Housing’s interpretation of the SHIP Statute and Rule had allowed for SHIP to provide up to 3 months of rental assistance. This subsection, as amended, also clarifies that SHIP funds to provide up to 6 months’ rent in eviction prevention assistance, which had previously been allowed by Florida Housing’s interpretation of the SHIP Statute and Rule. SHIP assistance will continue to be allowed for security and utility deposits under this subsection.
- Amends 420.9075(2)(a) to require SHIP jurisdictions to encourage the involvement of local CoC lead agencies in its public-private partnerships.
 - Amends 420.9075(3) to encourage SHIP jurisdictions to develop LHAP strategies for reducing homelessness, and allows SHIP jurisdictions to create regional partnerships to pool SHIP homeless assistance funds.
 - Amends 420.9075(4) to require rental units that receive more than \$10,000 in SHIP assistance to be monitored annually for tenant eligibility. This is an increase from the previous statutory threshold of \$3,000.
 - Amends 420.9075(5) to explicitly allow SHIP jurisdictions to reserve up to 25% of their annual SHIP allocations for rental housing, which is a clarification of existing policy. This subsection, as amended, also codifies proviso language included in the previous three years’ appropriations bills by requiring SHIP jurisdictions to use at least 20% of their annual allocations for persons with special needs as defined in 420.0004. First priority of these funds is given to people with developmental disabilities, with an emphasis on home modifications to allow beneficiaries to maintain homeownership.
 - Amends 420.9075(10) to include a requirement for local government LHAPs to include a description of efforts to reduce homelessness.

Line Item Appropriations and Vetoes

The tables below shows line-item appropriations for homeless assistance and housing. Other than the Challenge Grants, which were discussed previously, seven line item appropriations that were signed into law will be funded by General Revenue (GR). Another five line item appropriations will be funded by the State Economic Enhancement & Development (SEED) Trust Fund, which was created in 2011 as a funding source for economic development activities. SEED receives \$150 million annually—\$75 million each from the Housing Trust Funds and the Transportation Trust Fund. The vetoed line items include the City of Sarasota Gulf Coast Housing First Initiative, the Jacksonville Downtown Investment Authority’s Urban Homesteading Pilot Program, and the NeighborWorks Florida Collaborative. HNN



JAIMIE ROSS

Jaimie A. Ross is the President & CEO of the Florida Housing Coalition. She initiated the Sadowski Coalition in 1991 and continues to facilitate the Sadowski Coalition today. Ms. Ross served as the Affordable Housing Director at 1000 Friends of Florida, a statewide nonprofit smart growth organization, from 1991-2015. Prior to her tenure at 1000 Friends of Florida, Ross was a land use and real property lawyer representing for profit and nonprofit developers and financial institutions with a law firm in Orlando. Ross is the past Chair of the Affordable Housing Committee of the Real Property Probate & Trust Law Section of the Florida Bar.



MARK HENDRICKSON

Mark Hendrickson, president of The Hendrickson Company, is a past Chair and serves as an Executive Committee member for the Florida Housing Coalition. He served as Executive Director of the Florida Housing Finance Agency from its inception in 1981 to 1994. As its first Chief Executive Officer, he led the way in creation of the Sadowski Act. The Hendrickson Company specializes in assisting clients in all areas of affordable housing, including finance and related legislative issues. His clients include for-profit and non-profit developers, the Florida Association of Local Housing Finance Authorities, and four County HFA’s.

HOUSING TRUST FUND APPROPRIATIONS				
FISCAL YEAR 2016-2017				
	GOVERNOR	SENATE	HOUSE	FINAL BUDGET
SAIL	\$ 97,405,000			\$ 32,300,000*2
Housing for Developmentally Disabled		In recurring budget	In recurring budget	\$ 10,000,000
FHFC*1		\$125,760,000	\$ 94,405,000	\$ 22,300,000
SHIP	\$ 34,000,000	\$185,800,000	\$ 47,000,000	\$129,800,000
Homeless		In proviso	In proviso	\$ 5,000,000
Training		In proviso	Part in proviso	\$ 700,000
DEO Member Project		\$ 5,440,000		\$ 0
TOTAL HOUSING	\$131,405,000	\$317,000,000	\$141,405,000	\$200,100,000
SHTF SWEEP	\$ 0	\$ 0	\$ 0	\$ 30,414,438
LGHTF SWEEP	\$172,000,000	\$ 0	\$172,000,000	\$ 86,500,000
TOTAL SWEEP	\$172,000,000	\$ 0	\$202,414,438*2	\$116,914,438

*1- SAIL, HAP, PLP and Guaranty Program

*2- Plus approximately \$75-\$80 million of FHFC funds from Guarantee Program (not doc stamps) authorized to be spent on SAIL

OTHER MEMBER PROJECTS

FISCAL YEAR 2016-2017

ITEM	AMOUNT	LINE ITEM	SOURCE	AGENCY
City of North Miami Elderly Housing Assistance Program	\$ 200,000	2216	General Revenue	DEO
Pembroke Pines Veterans Home Renovation	\$1,000,000	2216	SEED	DEO
Building Homes for Heroes	\$75,000	2216	SEED	DEO

ADDITIONAL HOMELESS FUNDING

FISCAL YEAR 2016-2017

ITEM	AMOUNT	LINE ITEM	SOURCE	AGENCY
Challenge Grants	\$5,000,000	361/2224	From Local Government Housing Trust Fund- same \$5 million as shown in Housing TF Chart	DCF
Homeless Housing Assistance Grants	\$3,000,000	363	General Revenue	DCF
Citrus Health Network for the Safe Haven for Homeless Youth	\$140,800	363	General Revenue	DCF
National Veterans Homeless Support in Brevard County	\$150,000	363	General Revenue	DCF
Transition House Homelessness Veterans Program- Osceola County	\$150,000	2216	General Revenue	DEO
Hillsborough Homeless Initiative	\$200,000	2216	General Revenue	DEO
Hillsborough Homeless Initiative	\$600,000	2216	SEED	DEO
Clearwater Homeless Emergency Program	\$100,000	2216	SEED	DEO
Sulzbacher Center for Women (Jacksonville)	\$1,000,000	2216	SEED	DEO
City of Ft. Lauderdale Rapid Re-Housing Project	\$500,000	2216	General Revenue	DEO

HOUSING-RELATED ITEMS THE GOVERNOR VETOED

FISCAL YEAR 2016-2017

ADDITIONAL HOUSING FUNDING

ITEM	AMOUNT	LINE ITEM	SOURCE	AGENCY
City of Sarasota Gulf Coast Housing First Initiative	\$ 250,000	2216	Special Employment Security Administration TF	DEO - VETOED
Jacksonville Downtown Investment Authority—Urban Homesteading Pilot Program	\$1,000,000	2216	General Revenue	DEO - VETOED
NeighborWorks Florida Collaborative	\$ 500,000	2216	SEED	DEO - VETOED